

1 Joshua Woodard (Bar #015592)
2 jwoodard@swlaw.com
3 Audrey E. Chastain (Bar #033998)
4 achastain@swlaw.com
5 SNELL & WILMER L.L.P.
6 One East Washington Street
7 Suite 2700
8 Phoenix, AZ 85004
9 Telephone: (602) 382-6000
10 Facsimile: (602) 382-6070

11 *Attorneys for Defendant Embry-Riddle Aeronautical
12 University, Inc.*

13
14
15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE DISTRICT OF ARIZONA

17 Audrey Davis, an individual,
18 Plaintiff,

19 v.
20 Rhondie Voorhees, in her personal capacity
21 and as Dean of Embry-Riddle Aeronautical
22 University; and Embry-Riddle Aeronautical
23 University,

24 Defendants.

25 Rhondie Voorhees, an individual,
26 Counterclaimant,

27 v.
28 Audrey Davis, an individual,
29 Counterdefendant.

30 No. 3:21-cv-08249-DLR

31 **STIPULATION FOR ENTRY OF
32 PROTECTIVE ORDER**

33 Pursuant to Fed. R. Civ. P. 26(c), the Defendants hereby submit this stipulation and
34 jointly request that the Court enter a protective order in accordance with the terms and
35 conditions of the Stipulated Protective Order submitted herewith. Counsel for Defendants
36 repeatedly requested Plaintiff's input on this stipulation and the proposed Stipulated
37 Protective Order, over a period of nearly eight months, but received no response. As such,

1 this stipulation is entered into by and between Defendant/Counterclaimant Rhondie
2 Voorhees and Defendant Embry-Riddle Aeronautical University, Inc. only.

3 At this time, the Defendants do not intend for any documents to be filed with the
4 Court under seal; however, if the parties determine that filing under seal is necessary, the
5 parties will move the Court for an Order to file a document under seal, with a motion that
6 complies with LRCiv 5.6(b) and Fed. R. Civ. P. 26(c).

7 This stipulation and request for approval is not brought for any improper purpose but
8 instead to govern the use and disclosure of documents and deposition testimony in this
9 action. There are documents and materials which will be exchanged in this lawsuit that
10 contain confidential personnel and/or employee and student information, information
11 regarding a sensitive, alleged sexual assault incident involving two students and the
12 investigation of that alleged incident, and other confidential and/or proprietary business
13 information of Embry-Riddle Aeronautical University, Inc. that could harm the parties or
14 the parties' personnel and/or employees and students if they were made public. The
15 Defendants agree and believe that some of the confidential documents, materials, and
16 information are relevant to the claims or defenses in this matter and therefore would be
17 subject to production, but at the same time, the Defendants believe that the disclosing
18 party's interests in the confidential information may require protection from public
19 disclosure. *See, e.g., Blotzer v. L-3 Commc'n Corp.*, 287 F.R.D. 507, 509 (D. Ariz. 2012)
20 ("Personnel files may contain confidential information that is both private and irrelevant to
21 the case, therefore special care must be taken before personnel files are turned over to an
22 adverse party."). Accordingly, there is good cause for the Court to enter a Protective Order.

23 For the foregoing reasons, the Defendants respectfully request that the Court enter
24 the Stipulated Protective Order lodged concurrently with this Stipulation.

Snell & Wilmer
L.L.P. LAW OFFICES
One East Washington Street, Suite 2700
Phoenix, Arizona 85004
602.382.6000

1 DATED this 26th day of January, 2023.
2

3 RM WARNER, PLC

SNELL & WILMER L.L.P.

4
5 By: s/ Daniel R. Warner
6 Daniel R. Warner
Raeesabbas Mohamed
7 8283 N. Hayden Road, Suite 229
Scottsdale, Arizona 85258
8 *Attorneys for Defendant/
Counterclaimant Rhondie Voorhees*

9
10
11 By: s/ Joshua Woodard
12 Joshua Woodard
Audrey E. Chastain
13 One East Washington Street
Suite 2700
14 Phoenix, AZ 85004
15 *Attorneys for Defendant Embry-Riddle
Aeronautical University, Inc.*

16 4868-7691-7775

17
18
19
20
21
22
23
24
25
26
27
28

Snell & Wilmer
L.L.P.
LAW OFFICES
One East Washington Street, Suite 2700
Phoenix, Arizona 85004
602.382.6000